



File No. T.A. Legislature

Legal Department⁴⁷

C BRANCH

Subject:—

Correspondence regarding
Travelling Allowances to the
Honourable President and the
Speaker and the members of the
Legislature.

20.7.1947
(K)

File No. T.A. Legislature/47

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2/16
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Legislative Assembly Office

Mr. S.K. Sheode has been appointed as Secretary to the Bombay Legislative Assembly with effect from 16th July 1946 (vide L.D. Notn, No. 813-p dated 20-7-1946) in place of Mr. I.G. Menani, I.C.S. relieved of that charge. Prior to his appointment as Secretary, Mr. Sheode as Assistant Secretary.

2 Mr. Sheode had accompanied the Hon. the Speaker to Delhi for the Presidents and Speakers Conference held on 8th, 9th and 10 ~~th~~ January 1947. A.G. has passed his T.A. Bill for the journey provisionally as Mr. Sheode has not yet been declared a controlling authority to sign his own bills.

3 F.D. may, therefore, be requested to issue the necessary orders declaring Secretary L.A. as his own controlling officer for t.e. purposes so that he can sign such bills himself in future.

(Through L.D.)

Id. H.C.P.
25-1

Id.
25-1-47

Secy S.K.S.
25-1.

U.R. to F.D. No. 298 dated 27th January 1947.

Finance Deptt.
C Br.

Secretary to the Bombay Legislative Assembly is the Head of the Deptt and also 'a his own control' in officer, vide S.No. 33 and 81 in Appendices I, and III respectively to the B.C. G. S. Manual Vol II. The point whether the incumbent of the post is an I.C.S. or non-I.C.S. man is immaterial. No specific orders seem therefore to be necessary in the present case. The matter however, for the Legal Deptt to consider. This may therefore be forwarded to that Deptt for disposal.

Id.
3/2/47

Id. H.C.P. 5-2

U.R. to the L.D. dt. 5-2-47

Legal Department.

R.I. 1444/7-2-47

In view of "A" and "B" in P.D. note above the L.A. office may be informed that it is not necessary to issue any orders as requested in para 3 of that office note overleaf.

Id. D.B.P. 15-2-47

Supdt. J.C. 17-2

A.A.S. B.D.P. 17-2

A.A.L.R. No further declaration is necessary Mr. Shoode may continue to sign his bills. A.G.'s attention may be invited to "A" over leaf in P.D. note.

Id./ E.M.C. 17-2.

U.R. to L.A. office No. 1711 dated 20-2-47.

317 14-5-56
4 Copies.

Legislative Assembly Office.

The Deputy President and the Deputy Speaker went to Delhi to attend the Conference of the Presidents and Speakers held on 7th, 8th and 9th January 1947. Both of them travelled by 1st class both ways. T.A. bills of both the officers are now to be prepared. Their salary as fixed by the Act is Rs. 200 p.m. each. They also get Rs. 150 p.m. as salary in their capacities as the members of the Legislative Assembly. Finance Department may be requested to state whether they are entitled to draw first class fares according to their status though according to salary they get only II class fares. The amount of daily allowance admissible for each may also be stated. Finance Department may be requested to treat this as urgent.

Id./..16-1

J.S.

Id. 16/1/46

Secy. L.D. Id./..... .. 17/1

Secy. L.C. Id./..... .. 20/1

U.R. to F.D. No. 238

SMR 14/5/56

Copies.

Finance Department.

The rules in section II of Appendix XLII-B to the B.C.S. Rs. regulate the t.a. of the speakers and the President. However, there is no mention of the Dy. Speaker and the Dy. President. On a similar occasion the Dy. Speaker and the Dy. President were given t.a. (vide G.L.L.D 11577 dated 6th Novr. 1939). But, even that letter does not throw any light on the scales of t.a. As these orders were issued by the L.D. that deptt. may be requested u.o. to advise the Assembly office on the point raised by them.

Id. /..... 23/1
1/2
3/2

Id./.....
3/2
S.A.S.

U.O.R. to the L.D. dated 3-2-47.

L.D.

In the above note "L.D." obviously mean section II of App. XLII-B to the B.C.S. Rs. and not III as stated through oversight. The last time's precedent does not help as those orders only authorized the Dy. President to draw t.a. The L.A. office may be requested to state whether the Dy. President claims mileage by rail according to I class or by a lower class when he attended the conference of Presidents & Speakers held at Simla in 1939 and the rate of daily allowance then claimed. On receipt of this information necessary orders will be issued.

Id. D.B.P. 18/2/47
Supt.

A.A.S. Id /.....
21-2-

Re. -A In personal inquiry should be made in F.D., whether reference to Section III is a slip p. Section II.

Re-B:- L.A. Office may be requested to supply the necessary instruction.

Id. /..... 21-2

A.A.L.B.

U.R. to L.A. office No. 1959 dt. 27-2-47.

SEN. 14/5/58
4 Co ies.

Legislative Assembly Office

The papers were referred to Finance Department in order to ascertain whether there were any rules under which the Deputy President and Deputy Speaker can draw first class Travelling Allowance and higher rate of daily allowance for attending the conference as under ordinary rules there is no such provision which would entitle them to draw higher rates of T.A. and D.A. It was contemplated that in case there was no such rule the case would have to be referred to Legal Department for consideration whether higher rates would be necessary in this case also having regard to the status of the officers. There was no other intention in referring the paper to Finance Department direct except the reason mentioned in the above note. The reference was made only for elucidation.

Id./..... 5/3

J.S.

Id./..... 6/3

A.A.L.R.

Id./...T.T.,
6/3

U.R. to L.D. No. 846, dated 8-3-47

14/5/56
4 Copies.

Finance Department "C" P.R.

It has been ascertained informally from the L.A. Office that in 1939 the then Dy. Speaker and Dy. President travelled by second class when they attended the Conference of Presidents and Speakers held at Simla on the 18th to 20 July 1939. Attention is however invited to J.R.F.P. 3339/33, dated 3rd April 1947 under which a non-official member who actually travels by 1st class is eligible for a single first class fare plus an extra half of second class. These orders are to take effect from 1st Dec. 1946. It may be noted that the G.O. referred to does not apply to journeys of M.L.A.'s and M.L.C.'s which are governed by section IV of App. XII-B to the P.C.S. Re. Manual Vol. II

2 But unlike the President and the Speaker there are no special rules to govern the travel of Dy. President and Dy. Speaker who perform journeys on duty (not as M.L.C. or M.L.A.); The general rule applicable to non-official may therefore be applied to their journeys. In view of this and in view of the consideration that the journeys in question were performed later than the ~~xxxxxxxxxxxxxxxx~~ 1-12-1946, we may advise that the Dy. President and the Dy. Speaker may be allowed to draw one first class railway fare and three-fourth 2nd class railway fare each way. (The audit will require a certificate to the effect that the journeys in question were actually performed in the 1st class).

Id./ V.N.C.
11-4-47

Id./.....
11/4

U.O. to L.D. dt. 12-4-47.

SMR 14/5/48
4 Co ies.

No. 4830

Legal Department,
Bombay Castle, 12th May 1947.

Subject:- Travelling Allowance
Deputy President, Bombay Legislative Council
and Deputy Speaker, Bombay
Legislative Assembly.
.....

MEMORANDUM

The undersigned presents compliments to the Accountant General, Bombay, and is directed to state that the Deputy President, Bombay Legislative Council and Deputy Speaker, Bombay Legislative Assembly should be allowed to draw one first class railway fare and three-fourth 2nd class railway fare each way for attending the conference of Presidents and Speakers at Delhi held on 7th, 8th and 9th January 1947.

By order of the Governor of Bombay,

Id./ 10/5

(R. D. Pandit)

Assistant Secretary to Government,
Legal Department.

To

The Accountant General, Bombay,
(through the Finance Department)

Copy to:-

The Finance Department,
The Deputy President, Bombay Legislative Council,
The Deputy Speaker, Bombay Legislative Assembly,
The Secretary, Bombay Legislative Council,) with a request to note
The Secretary, Bombay Legislative Assembly) that a certificate to the effect that
the journeys in question were actually performed in the 1st class should be attached to the Travelling Allowance Bills.

L.A. Office.

Submitted.

Please see L.D.memo. No. 4830, dated the 12th May 1947, sanctioning the T.A. to Dy. President and Dy. Speaker for attending the Conference of Presidents and Speakers at Delhi. The T.A. Bills will be prepared accordingly.

2 No orders have been issued as regards the daily allowances. L.D. may now be requested to do so at an early date. When the rate of D.A. at Delhi is known the T.A. bills will be prepared.

* not received in L.D.

Id./.....
13/5

Where is the letter from Mr. Goran, Dy. President. I wanted to give a reply.

Id./.....
13/5

Secy. .A.

Id./.....
15/5/

L.D. to L.P. No. 1583 dt. 14th May 1947.

L.D.

Submitted with pr.

2 Please see para 2 of L.A. office note above. Attention is invited to L.D. U.R. No 2456 dated the 10th March 1947. It will be seen therefore, that L.D. had recommended I class T.A. to the Hon. the Dy. President and the Hon. the Dy. Speaker. The F.D. advised that they may be allowed to draw one I class Ry. fare & 3/4 2nd class Ry. fare each way. The orders are issued accordingly. In view however of the reference from L.A. office this may be referred U.O. to the F.D. for advice.

Id./ D.B.P. 23/5/47
A.A.G.

Id./..... 23/5
A.A.L.T.

Id./..... 23/5

U.R. to L. . No. 5327 dt. 23/5/47

It is not clear on what point the L.D. wants our advice. This may be returned to L.D. with a request to clarify the point.

Id./ V.D.G.
23/5/47

Id./.....
25/5

O.R. to L.D. dt. 26/5/47

F.D. is requested to advise on para 2 of the L.A. office note dated the 13th May 1947 at page 3 ante, regarding the rate of daily allowance to be paid to the Dy. President and Dy. Speaker.

Id./S.B.P. 29/5/47
A.A.S.

Id./..... 29/5
A.A.L.R.

Id./...
29/5

O.R. to F.D. No. 6579 dt. 30/5/47 with file No. T.A. Regisl
ature
47

O.R. 15/5/56
4 Copies.

Finance Department 'C' Br.

It will appear from para. 2 of F.D. office note dt. 11/4/47 underlying G.L., L.D. No. 4830 dt. 12/6/1947 that the general rule (viz. rule 1(1)(b) in Section I of Appx. XLII-A to the B.C.S.R. Manual., Vol.II) is made applicable to journeys performed by Dy. President and Dy. Speaker for attending the conference of President and Speakers at Delhi. The Dy. President and Dy. Speaker may therefore be sanctioned d.a. as admissible to Govt. servants of the first grade. Govt. servants of the first grade are entitled to d.a. for halts at places outside the Bombay Province in accordance with the provisions of B.C.S.R. 422 & Notes below it. The rate of daily allow. admissible at Delhi to Central Govt. servants of the first grade drawing pay upto Rs. 750/- p.m. is Rs. 10/- The pay of Dy. President and Dy. Speaker is less than Rs. 750/- p.m. They may be given daily allow. of Rs. 12/8/- as the requirements ^{of} Note 1 below B.C.S.R. 422 are satisfied. The L.D. may be advised accordingly.

Id./.....
11/6/47

Non-officials are to get d.a. on the scale applicable to 1st grade Govt. servants. Where more than one scale depending on rank applies the scale does not determine which of them should apply to non-officials. But T.A. on the lowest of the scales will in any case be admissible. On this basis, the d.a. in the present case may be fixed at Rs. 12/8

Id./ V.L.J. 14/6

U. S. to L.D. with T.A. Legislature file dt. 14/6/47

R. I. No. 7186
17-6-47

Subd.

2 The F.D. has agreed to give daily allowance at Rs. 12-8-0
aid to the Dy. President B.L.C. and to the Dy. Speaker, B.L.A.
vide that Deptt. Dy. Secretary's note dated 14-6-47 at page 5 ante
Requisite Memo is accordingly put up for approval.

Id./ C.D.P. 17/6/47

S.S. Id./..... 18/6

A.A.S. Id./I.D.P./ 18/6

SIR 15/5/66
4 Copies.

No. 6438
Legal Department,
Bombay Castle, 24th June 1947.

Subject:- Travelling Allowance
Deputy President, Bombay Legislative
Council and Deputy Speaker, Bombay
Legislative Assembly.

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MEMORANDUM

The undersigned presents compliments to the Accountant General, Bombay and in continuation of this Department Memorandum No. 4830 dated the 12th May 1947, is directed to state that the Deputy President, Bombay Legislative Council and the Deputy Speaker, Bombay Legislative Assembly should be allowed to draw daily allowance at the rate of Rs. 12-8-0 per day for attending the conference of Presidents and Speakers at Delhi held on 7th, 8th and 9th January 1947.

By order of the Governor of Bombay,

18./ 6.6.47 23/6

(B.D. Pandit)
Assistant Secretary to Government,
Legal Department.

To

The Accountant General, Bombay.
(Through the Finance Department).

Copy to:-

The Finance Department,
The Deputy President, Bombay Legislative Council,
The Deputy Speaker, Bombay Legislative Assembly,
The Secretary, Bombay Legislative Council, (with
L.D. Memo No. 4830 dt. 12-5-47)
The Secretary, Bombay Legislative Assembly.

MR. 16/5/46
4 Copies.